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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/972,892	10/10/2001	Sheng Hsin Liao	MR-2349-692	4449

4586 7590 06/27/2003

ROSENBERG, KLEIN & LEE  
3458 ELLICOTT CENTER DRIVE-SUITE 101  
ELLICOTT CITY, MD 21043

EXAMINER
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WAKS, JOSEPH

ART UNIT	PAPER NUMBER
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2834

DATE MAILED: 06/27/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	09/972,892	LIAO, SHENG HSIN	
	<b>Examiner</b>	<b>Art Unit</b>	
	Joseph Waks	2834	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 13 May 2003.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-3 and 5-8 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-3 and 5-8 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All   b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                    | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____  |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                           | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) <u>05/03</u> | 6) <input type="checkbox"/> Other: _____                                    |

## DETAILED ACTION

### *Claim Rejections - 35 USC § 103*

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. **Claims 1-3 and 5-8** are rejected under 35 U.S.C. 103(a) as being unpatentable over **Patterson et al. (US 6,059,081)** in view of **Wang et al. (EP 0762047)**, **Shyu (US 5,363,445)**, **Krag-Muller (US 1,333,119)**, **Kobayashi et al. (US 5,722,055)** and **Compagnuolo et al. (US 4,701,835)**.

**Patterson et al.** disclose a wire rewinding box 10 comprising a hollow casing 20 defining a receiving chamber 98, a windlass 90 received in the chamber 98, a coil spring 110 biasing the windlass with respect to the hollow casing, a communication wire 52 winding on the windlass with one end of the wire being pulled out of the casing. However, **Patterson et al.** do not disclose a positioning ring, a circuit board having light emitting and sound producing elements, the communication wire being in electrical communication with the circuit board, a recharge unit received in the receiving chamber and including a generator, a battery in electrical communication with the generator, a gear mechanism installed between the windlass and the generator, and a press handle with a positioning groove for receiving the ring.

**Wang et al.** disclose a recharge unit installed in the casing 1 and including a generator 6 and a gear mechanism 4 installed between the windlass 30 and the generator, for the purpose of generating power for personal electric apparatuses.

**Shyu** discloses an auxiliary charging device for a mobile phone including a press handle 7 installed at one side of the casing for the purpose of manually generating power for the phone when the battery feeding the phone is used up.

**Krag-Muller** discloses a charging device having a press handle 20 with a positioning groove 24 receiving a positioning ring 22 for the purpose of retaining the handle in a close position when the charger is not in use.

**Kobayashi et al.** disclose a communication device including a circuit 41-1 board having light emitting and sound producing elements 41-4 and 41-8 for the purpose of indicating the operating status of the device (i.e. power on and incoming call).

**Compagnuolo et al.** disclose a portable charging device including a manually operated generator 10, a rechargeable battery 82 in electrical communication with the generator for the purpose of simultaneously providing electric power to the device and recharging the battery for further use.

It would have been obvious to one having ordinary skill in the art at the time the invention was made to design the rewinding box as taught by **Patterson et al.** and to provide recharge unit installed in the casing and including a generator and a gear mechanism installed between the windlass and the generator as taught by **Wang et al.** for the purpose of utilizing the energy of the pulled wire and to provide a self contained electric source for the radiotelephone it serves.

It would have been further obvious to one having ordinary skill in the art at the time the invention was made to design the combined box and to provide the press handle installed at one

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side of the casing as taught by **Shyu** for the purpose of generating the power required for the phone when the battery is used up while continuing to supply other systems through the wire.

The use of the circuit board having light emitting and sound producing elements is well known in the communication devices like for example the **Kobayashi et al's** disclosed portable radiotelephone (Re elements 41-1, 41-4, and 41-8). Therefore, the combined system (and in particular the **Shyu** disclosed mobile phone) inherently will include the circuit board having light emitting and sound producing elements. Furthermore the feature of the communication wire being in electrical communication with the circuit board is necessary for functioning and inherent to the system.

It would have been furthermore obvious to one having ordinary skill in the art at the time the invention was made to design the combined box and to provide the press handle with the positioning groove receiving the positioning ring as taught by **Krag-Muller** retaining the handle in a close position when the charger is not in use.

It would have been even more obvious to one having ordinary skill in the art at the time the invention was made to design the combined box and to provide the press handle with the positioning groove receiving the positioning ring as taught by **Krag-Muller** retaining the handle in a close position when the charger is not in use.

It would have been furthermore obvious to one having ordinary skill in the art at the time the invention was made to design the combined box and to provide the generator and the battery in electrical communication with the generator as taught by **Compagnuolo et al.** for the purpose of simultaneously providing electric power to the device and recharging the battery for further use.

***Response to Arguments***

3. Applicant's arguments filed on May 13, 2003 have been fully considered but they are not persuasive.

In response to applicant's arguments against the references individually, one cannot show nonobviousness by attacking references individually where the rejections are based on combinations of references. See *In re Keller*, 642 F.2d 413, 208 USPQ 871 (CCPA 1981); *In re Merck & Co.*, 800 F.2d 1091, 231 USPQ 375 (Fed. Cir. 1986).

4. In response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., visual and auditory means attached to the system for providing visual and auditory indications of power and recharging states, a means for maintaining alignment between the press handle and the gear mechanism) are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

***Prior Art***

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

***Conclusion***

6. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

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A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

***Communication***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Joseph Waks whose telephone number is (703) 308-1676. The examiner can normally be reached on Monday through Thursday 8 am to 5 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nestor R Ramirez can be reached on (703) 308-1371. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 305-1341 for regular communications and (703) 305-1341 for After Final communications.

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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-1782.

  
JOSEPH WAKS  
PRIMARY PATENT EXAMINER  
TC-2800

JW  
June 22, 2003